



November 8, 2023

Joseph Francoeur
212.915.5638 (direct)
646.823.7791 (mobile)
Joseph.Francoeur@wilsonelser.com

VIA ECF ONLY

Honorable Judge Barbara Moses
United States Courthouse
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Bonde v. Wexler et al.
Case No.: 1:23-CV-02877

Dear Judge Moses,

As no judicial action is required, the Clerk of Court is respectfully directed to close the motion at Dkt. 36.

A handwritten signature in blue ink, appearing to read 'Barbara Moses'.

Barbara Moses
United States Magistrate Judge
November 9, 2023

As you know, we represent Defendants in the above-referenced action. Pursuant to your Honor's Order dated October 30, 2023, we submit this joint letter with Plaintiff's counsel. The parties have met and conferred regarding the forensic examination of Plaintiff and Ms. Bonde's email accounts. After confirming with Pondurance we have conferred with Plaintiff's counsel that the forensic examinations will consist of a remote access of each e-mail account by Pondurance wherein Plaintiff and Ms. Bonde will provide the username and password to access said accounts. Pondurance will then conduct an examination of the relevant artifact data associated with each account. An examination of individual e-mails will not be conducted. Each party as well as Mr. Schwartz can be present for the examination and Pondurance has confirmed that they are willing a confidentiality agreement if needed. The examination is estimated to take approximately an hour.

Plaintiff has provided consent to the aforementioned forensic examination of plaintiff and his wife Zena Bentzen. At this time, we do not anticipate the need for judicial intervention.

Respectfully Submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

/S
Joseph Francoeur